

REMARKS

At the outset, Applicants acknowledge with appreciation the indication of allowable subject matter in claims 4, 5, 42, 44, 48-53 and 56-59.

This application is in a manner to place the application in condition for allowance.

Status of the Claims

Claim 1 is amended to include the features of claim 4. Accordingly, claim 4 is cancelled.

Claims 47 and 54 are also cancelled, without prejudice.

Claims 1-3, 5, 40-44, 46, 48-53 and 56-59 remain pending in the application.

Objection to the Specification

The Official Action objected to the specification for not providing proper antecedent basis for the claimed subject matter.

The Official Action noted that the subject matter of original claims 3 and 4 was not present in the originally filed specification. Similarly, the Official Action acknowledged that the subject matter of claims 50, 56 and 58 was found in the originally filed claims, but not in the originally filed specification.

As to claim 4 specifically, page 9, lines 3-4 teaches the effect of the pH adjustment as controlling the equilibrium for deposition of apatite and katoite. This clearly relates to the system, and not only to the liquid as such, since any such deposition will not occur in the liquid per se. Accordingly, this indicates that it is the pH value of the system that should be controlled. The ranges of pH values specified on page 9 lines 1-2 thus relates to the system.

The required pH adjustment is obtained by means of added buffer to the system. The buffer may be contained in the powder and/or in the liquid (see original claim 1), so that the system will have a pH value of at least 7 (see original claim 4). Accordingly, the buffer may be contained in the liquid, which will then have a pH value of at least 7 (see original claim 23). Thereby, it will be clear that the pH requirements specified on page 9, lines 1-2 relating to the system, may also be accomplished by means of liquid buffered to same pH value. Thus, the pH values specified on page 9 lines 1-2 applies both to system and liquid.

Although, as discussed above, support for the features of claim 4 are believed to provided in the original disclosure, the present specification is amended to explicitly recite the features of the originally filed claims in the body of the specification pursuant to MPEP 608.01(1).

The added originally claimed features are:

- Page 10, line 29, the features of claim 3. The paragraph previously presented in the Amendment of February 27, 2009 was further amended.
- Page 9, line 2, the features of claim 4.
- Page 6, line 13, the features of claim 12 (now recited in claim 50).
- Page 8, line 23, the features of claim 25 (now recited in claim 58).
- Page 8 lines 11, the features of claim 22 (now recited in claim 56). The paragraph previously presented in the Amendment of February 27, 2009 was further amended.

Therefore, the specification does provide antecedent basis for the claimed subject matter, and withdrawal of the objection is respectfully requested.

Claim Rejections-35 USC §112

Claim 54 was rejected under 35 USC §112, first paragraph, as not complying with the written description requirement. This rejection is moot in view of the cancellation of this claim.

Claim 47 was rejected under 35 USC §112, second paragraph, as being indefinite. This rejection is moot in view of the cancellation of this claim.

Claim Rejections-35 USC §102

Claims 1-3, 40, 41, 43, 46 and 47 were rejected under 35 USC §102(b) as being anticipated by BROTHERS et al. U.S. 6,143,069 ("BROTHERS"). This rejection is respectfully traversed.

Independent claim 1 is amended to recite the features of claim 4, which were indicated as being allowable subject matter.

Therefore, as claim 1 and the claims depending from claim 1 are directed to allowable subject matter, withdrawal of the rejection is respectfully requested.

Conclusion

In view of the amendments to the present application and the foregoing remarks, therefore, applicants believe that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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